

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION**

T. WILLIAM MCINTYRE,

Plaintiff,

VS.

NEW CENTURY MORTGAGE
CORPORATION, et al.
Defendants.

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Case No. 4:10cv335

**MEMORANDUM ADOPTING REPORT AND
RECOMMENDATION OF THE UNITED STATES MAGISTRATE JUDGE**

Came on for consideration the report of the United States Magistrate Judge in this action, this matter having been heretofore referred to the United States Magistrate Judge pursuant to 28 U.S.C. § 636. On February 2, 2012, the report of the Magistrate Judge was entered containing proposed findings of fact and recommendations that Carrington and Deutsche Bank's Second Motion for Summary Judgment (Dkt 59) be GRANTED, that Plaintiff T. William McIntyre's Motion for Summary Judgment (Dkt. 69) be DENIED, that the claims against Defendant New Century Mortgage be dismissed without prejudice, and that Plaintiff should take nothing by his remaining claims here.

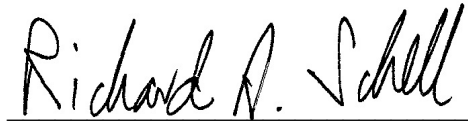
The court, having made a *de novo* review of the objections raised by Plaintiff as well as Defendant's response, is of the opinion that the findings and conclusions of the Magistrate Judge are correct, and the objections of Plaintiff are without merit as to the ultimate recommendations. Therefore, the court hereby adopts the findings and conclusions of the Magistrate Judge as the

findings and conclusions of this court.

Carrington and Deutsche Bank's Second Motion for Summary Judgment (Dkt 59) is GRANTED, Plaintiff T. William McIntyre's Motion for Summary Judgment (Dkt. 69) is DENIED, the claims against Defendant New Century Mortgage are dismissed without prejudice, and Plaintiff shall take nothing by his remaining claims here.

IT IS SO ORDERED.

SIGNED this the 29th day of March, 2012.

A handwritten signature in black ink, reading "Richard A. Schell". The signature is written in a cursive style with a horizontal line underneath the name.

RICHARD A. SCHELL
UNITED STATES DISTRICT JUDGE